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FACSIMILE TRANSMITTAL SHEET

TO: Office of Finance

FIRM/COMPANY: US PTO

FACSIMILE NUMBER: 571.273.6500

**CONFIRMATION
TELEPHONE:** 571.272.6500

FROM: Stephan P. Gribok

DIRECT DIAL: 215.979.1283

DATE: March 3, 2006

USER NUMBER: 1023

FILE NUMBER: D5053-00031

TOTAL # OF PAGES: 2
(INCLUDING COVERSHEET)

MESSAGE: Re: U.S. Patent Application No. 10/781,179
Filed February 18, 2004)
Request for Refund

NOTE: Original will not follow

CONFIDENTIALITY NOTICE

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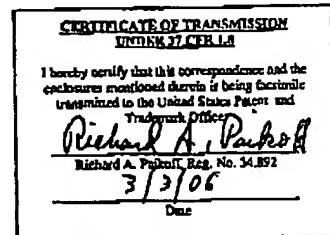
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/781,179
Filing Date : February 18, 2004
Title : OPHTHALMIC FLUID
Docket No. : D5053-00031
Customer No. : 08933

REQUEST FOR REFUND

Office of Finance
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests that a refund in the total amount of ~~\$510~~ be credited to Deposit Account No. 04-1679. A Notice of Appeal was submitted to the U.S. Patent Office via facsimile on December 15, 2005. This was an error as the Notice of Appeal had not been signed by the responsible attorney and the authorization to charge the deposit account \$500 was at the large entity rate. However, the Deposit Account was charged \$510.

Applicant is a small entity, as was established at the time the application was filed and as has been reflected in the Patent Office records. The first Notice of Appeal was submitted in error. A second and correct Notice of Appeal was submitted via facsimile that same day and correctly authorized a charge to the Deposit Account at the small entity rate of \$250.

As the fee for submitting a Notice of Appeal was correctly paid at the small entity rate, it is now respectfully requested that the erroneous charge of ~~\$510~~ be credited to Deposit Account 04-1679.

Respectfully submitted,

Dated: 3/3/06

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Adjustment Date: 03/22/2006 SDIRETA1
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